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IMPERIAL FEDERATION LEAGUE
OF AUSTRALIA.

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Imperial Unity and How to Promote it.

— By —

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being an address delivered at the Town Hall, Melbourne

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Imperial Federation League

OF AUSTRALIA.

CONSTITUTION OF THE LEAGUE.

Adopted at the Annual Meeting held at the
Melbourne Town Hall, 25th March, 1895.

OBJECTS OF THE LEAGUE :

1. To maintain the Unity of the British Dominions.
2. To strengthen it in the future by SOME FORM OF FEDERATION.

FUNDAMENTAL RESOLUTIONS :

1. That the chief objects of the League be to secure by Federation the permanent unity of the Empire.
2. That no scheme of Federation should interfere with the existing rights of Local Parliaments as regards local affairs.
3. That permanent Federation can be secured and maintained only by a system of common defence, devised and eventually controlled by representatives from all parts of the Empire.
4. That the details of any scheme affecting the common interests of the Empire can only be properly considered by conferences of representatives from all parts of the Empire ; therefore the establishment of such conferences should be a constant aim of this League.

ANNUAL SUBSCRIPTION :

Each Member fixes the amount of his annual contribution for himself, and this may be forwarded to the Hon. Treasurer, "Hallatrow," Kew. The League is not responsible for the opinions of individual Members.

“IMPERIAL UNITY AND HOW TO PROMOTE IT.”

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- (2) Suggested Forms of Imperial Unity.
- (3) Outlines of a Grand Assembly of the Empire.
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Ever since the Imperial Conference held in London in the year 1887, which was described by Mr. Stanhope in his circular letter as Secretary of State convening it as the first attempt to bring all parts of Her Majesty's Empire into joint deliberation, there has been growing throughout the countries, scattered all over the face of the earth, included within that Empire, a movement and a feeling in favour of some outward and visible form of unity, and some tangible and practical expression of the relationship existing between those countries. The stupendous complexity of the problem must be recognised, and it should be approached, if not with fear and trembling, at any rate with a sense of solemn and sacred responsibility, and a due appreciation of its vastness and importance. It must be remembered that it means an attempt to construct a plan of Imperial Unity and relationship, such as the world, with its rich storehouse of models, can furnish no approximate example for guidance. Though one might industriously explore the whole realm of history and tradition, it would be impossible to find an example approaching the circumstances of the noble and majestic Empire of Great Britain, well called "The Mother of Empires," with her numerous progeny of Colonies, Dependencies, and Territories, presenting to the salt sea waves a coast line of 28,500 miles, with an area of nearly 12,000,000 square miles, and a population of upwards of 410,000,000. Has the human race ever before seen such a spectacle? A scheme founded on and expressing unity and relationship between so many communities, recognising allegiance to one King, must be admitted to be beyond the sphere and anticipation of precedent.

SUGGESTED FORM OF IMPERIAL UNITY.

I have compiled a list of some of the many propositions and plans for strengthening the links and ties of Empire, which have been projected during the last 20 years. Among these may be mentioned the following:—

1. Representation of Colonies in the British Parliament.
2. Imperial Federation under a Supreme Parliament of the Empire, having limited sovereign powers.
3. Imperial Customs' Union.
4. Imperial Alliance of Mother Country and Colonies as of independent States having recognised nationalism.—R. Jebb.
5. Mutual Alliance and Common Citizenship.—W. E. Forster.
6. Imperial Council and Commercial Union based on preferential trade.—J. Chamberlain.
7. Confederation of States represented in an Imperial Council held together by the union of each under the same crown.—B. Holland.
8. Permanent Alliance, equivalent to Federation.—Jehu Mathew.
9. Co-operative Empire; Collective Imperialism.—A. Deakin.
10. Imperial Council or Continuous Conference consisting of leading members of Imperial and Colonial Governments in consultation, having a special Secretariat attached to the Prime Minister's Office.—Sir F. Pollock.
11. Imperial Defence Committee.

Of the foregoing proposals, I am disposed to think that Mr. B. Holland's Confederate plan is the most practicable, and nearest to attainment. A continuous advising body, such as that suggested by Sir F. Pollock, besides being vaguely constituted, would be inadvisable, on the ground that it would be calculated to become meddlesome and intrusive, and would interfere with the system of responsible Government, as established by law in the represented countries. Mr. R. Jebb's scheme of Imperial Alliance, whilst unassociated with any machinery for securing workable conventions and understandings, seems to be coupled with the impossible condition of recognising the nationalism of the Colonial

States of the Empire, which means danger, difficulty, and delay. I submit that Uniform, or reciprocal, Legislation and Administration in matters involving community of interests secured by a representative recommending and non-legislative body, would realise every possible advantage expected to flow from an Alliance between the component States of the Empire, whilst avoiding unnecessary discussion about separation and independence. Alliance, as outlined and postulated by Mr. Jebb, pre-supposes the prior dissolution and disintegration of component parts. The advantages of a Customs Union or a Commercial Union could not well be secured, without the intervention of some articulating agency, such as a Conference Council, or Assembly, in which all the parts of the Empire interested would be represented. Some deliberative advising and drafting body is necessary, in order to settle details, reconcile conflicting views and secure the basis of Uniformity and Reciprocity.

At the Imperial Conference held in 1907 under the presidency of Lord Elgin, the idea of a Permanent Imperial Council was not accepted, but it was resolved that there should be Imperial Conferences held every four years, at which questions of common interest may be considered and discussed between His Majesty's Governments at home, and His Majesty's Governments of the Self-Governing Dominions beyond the Seas. These conferences are to consist of the Prime Minister of the United Kingdom, the Secretary of State for the Colonies, and the Prime Ministers of the Self-Governing Dominions, and such other Ministers as the respective Governments may appoint. It was resolved that there should be a permanent Secretarial Staff appointed under the direction of the Secretary of State for the Colonies charged with the duty of keeping informed the several Governments in regard to matters which have been, or may be, subject of discussion, to obtain information that may be of use to the conference; to attend to its resolutions, and conduct correspondence in matters relating to its affairs.

Except with reference to the initiation of a Secretariat, the resolutions of the Conference of 1907 mark no advance on that passed by the Coronation Conference in 1901-2.

The Imperial Conferences, hitherto held, have been convened by the Secretary of State for the Colonies, and they have been composed of Ministers of the Crown, as *ex officio* members; none of the members have been appointed to such conference either by Parliamentary, or by popular vote; but in every case by Executive Authority. The Parliaments and the people, whom they have represented, have regarded these gatherings with distant interest, as proceedings in which they are mere onlookers and spectators, rather than active participants.

Official Conferences, called into existence by Executive Act, consisting of Ministers, however distinguished and able, will not, in my opinion, tend to enlarge and popularise the idea of Imperial Unity, either with the legislatures or the people of the Empire. Such a movement, to be successful, and to expand, must have something more than Official Advocacy and support. It must receive its impulse and initiative directly from the people.

OUTLINES OF A GRAND ASSEMBLY OF THE EMPIRE.

Whilst in my judgment there is no present prospect of establishing an Imperial Federal Union, assuming a definite shape and performing independent functions of Sovereignty, there is every possibility, and, in fact, every hope, of promoting the establishment of some organised agency or force, capable of crystallising the idea and the principle of Imperial Unity, and constituting a centre of gravity which will counteract separative and centrifugal tendencies. It should ever be remembered that Union is distinguishable by unity; one may be impossible of attainment, but the other may be capable of realisation in the practical field of politics, and of fulfilling all our desires and aspirations, at any rate for the present.

I think that the plan of Periodical Conferences, recommended by the Conference of 1907, should be retained until something better can be evolved. As a means of securing something better, I suggest that the next Conference to be held in 1911 should be charged with the duty to consider the best means of securing some permanent and statutory form of Imperial Unity; and for the purpose of assisting in that direction I have formulated the outlines of a scheme for the creation, by Imperial Statute Law, of a representative body to confer and advise on Imperial questions, requiring to be dealt with by Uniform or Reciprocal Legislation, or Uniform Administrative Action. To this body I would give the name of "the Grand Assembly of the Empire." Such a name would be preferable to that of "Conference," as it would connote legal constitution, continuity and definiteness of function. It would have a more democratic significance than "Council," which is associated with the nominee Upper Houses of some of the Colonies. The British Parliament could lay the foundation of the new scheme, by passing an act creating the Assembly, and providing that Great Britain and all self-governing Dominions, Commonwealths and Colonies, should be equally represented in such body—say, by five

members each; that the legislature of each country so represented should be authorised to pass laws, providing for the election, by the people thereof, of representatives to attend the Assembly. The functions of the Assembly should be strictly limited to those of recommendation and advice on such matters as are referred to it by Royal message.

To show how simple the plan would be, and how little legislation would be required to call the new Assembly into existence, I have drafted the following bill, which I think will be found to give expression to the main ideas:—

(4)

DRAFT BILL.

BE IT ENACTED by the King, the House of Lords, and the House of Commons in Parliament Assembled—

1. THERE SHALL BE A GRAND ASSEMBLY in and for The British Empire, constituted in the manner, and having the powers and functions hereinafter provided.
2. The United Kingdom and every Dominion, Commonwealth and Colony (hereinafter described as "represented country") having responsible Government under the Crown shall be entitled to be represented in the Grand Assembly by five members.
3. Such members shall be chosen in each represented country by the electors of the more numerous branch of the legislature thereof, in accordance with the provisions of Electoral laws prescribing the time, place, and method of choice and the qualification and duration of membership, which may be passed by the legislature of such represented country.
4. There shall be a Session of the Grand Assembly held at least once every five years, to be convened by Royal Proclamation.
5. At the beginning of each Session the Grand Assembly shall elect a President and Chairman of Committees, appoint Clerical Officers, and make necessary arrangements for the conduct of business and the record and publication of its proceedings.

6. The Powers and Functions of the Grand Assembly shall be to consider and recommend, with reference to such matters requiring uniform or reciprocal legislation or uniform administrative action, as may be submitted to it by Royal Message, and particularly with reference to—
 - (a) Naval and Military Defence.
 - (b) Trade and Commerce within the Empire and with other countries.
 - (c) Preferential Trade and Commerce.
 - (d) Shipping and Navigation.
 - (e) Over-sea Mail Service.
 - (f) Emigration from the United Kingdom.
 - (g) Migration within the Empire of Coloured Races Subjects of the King.
 - (h) Immigration into the Empire of Coloured Races not Subjects of the King.
 - (i) Copyrights and Patents of Invention.
 - (j) Naturalisation.
 - (k) Corporations.
 - (l) Weights and Measures.
 - (m) Coinage.
7. So far as practicable every recommendation involving legislation shall be reduced to the form of a draft Bill ready to be submitted to any legislature.
8. No recommendation of the Grand Assembly or Bill drafted by it shall have the force of law in any represented country unless and until the legislature thereof has ratified and adopted the same.
9. The Grand Assembly may make standing rules and orders regulating its own proceedings.
10. Upon a division on any question raised in the Grand Assembly the voting shall be by countries, and the vote of each country shall be determined by the majority of its members.
11. The legislature of each represented country shall make provision for the costs and expenses of its representation at the Grand Assembly.

12. The costs and expenses of the sittings of the Grand Assembly in the conduct of its business, the record and publication of its proceedings, shall be chargeable to each represented country according to its population.

(5)

OBSERVATIONS ON THE SCHEME.

Let us see what are the leading features and principles which can be deduced from the foregoing plan. In the first place, a Grand Assembly is to be created, founded on the authority of an Imperial statute, leaving the election of members in each represented country to be provided for by local legislation. The supremacy of the King, as the Constitutional Sovereign of the Empire, is recognised by the Grand Assembly, being convened by proclamation in his name, and by the programme of business being communicated to the Assembly by His Majesty. In so doing His Majesty will, of course, be acting on the advice of his Imperial Ministers, who, in their turn, would act in consultation with Colonial Ministers.

The Grand Assembly, as outlined, would be a form of Confederation, first in the equality of representation; secondly in the voting by States, and thirdly in the limitation of its powers and functions to those of consultation and recommendation. Its advice, if followed, would result in friendly understandings, legislation and administration, which would have the same operation and effect as alliances between Independent Nations.

The choice of its members by the people in popular election would be a significant recognition of the democratic system of Government. Membership of such an Assembly might in time come to be looked upon as one of the most coveted prizes and honours in the gift of the people to bestow.

The establishment on a legal footing of an All-British Assembly, endowed with consultative and advisory powers, would be an evidence, a demonstration and tendency towards closer union, and co-operation worth striving for. It would become the nucleus of cohesive, attractive and progressive movements in the direction of Empire Solidarity, Unity in One Fleet, Trade Preference and Reciprocity. As a representative body it would have a greater dignity and prestige, and its advice would have more weight than a Nominated Conference whose existence, composition and scope of deliberations are determined by executive decree.

The body so called into being, so constituted and concurred in by the Parliament of the Mother Country, as well as by the legislatures of the self-governing Dominions, Com-

monwealths and Colonies of the Crown, would loom largely in the political and diplomatic firmament, and without exciting the jealousy or distrust of its constituents, would soon acquire a special status peculiarly its own, and a sphere of usefulness and importance Empire-consolidating in its effects.

It would resemble a Family Council in the kinship of its members. In dignity it would be like a Congress of Ambassadors, with this difference, that its members would not represent hostile, but related countries, owing allegiance to one King, willing to share in the maintenance of one fleet, drawn together by ties of blood and loyalty, having also a community of industrial commercial and material interests, and with hopes of a common destiny.

The establishment of such an Imperial Assembly as I have outlined could not be regarded as a revolutionary experiment without precedent in British annals. In the world-wide and spacious development of an Empire it would fulfil the functions of a body, well known in the beginnings of our constitutional history as the Magnum Concilium. In the reign of Henry III. and Edward I. the Magnum Concilium, acting as a committee of Prelates and Barons convened by the King's writ of summons, and sitting periodically, occupied the position and performed the duties of the highest consultative body in the realm of England. As a body empowered to advise the King in matters relating to law, legislation, peace and war, the Great Assembly took the place of those Baronial Assemblies jointly with whom a number of important ordnances were issued under Henry II. Without surrendering his right as Sovereign to issue ordnances in his own name and by his own authority, Edward I. introduced a regular system of consultation with his Magnum Concilium in relation to all important legal matters. The more advice on legislation became the chief province of the Great Assembly the more was developed a modified phraseology, resulting in the introduction of the term "Parliamentum," to indicate chiefly the law advising office of the Assembly. In conjunction with these periodical Assemblies of Prelates and Barons Edward I. repeatedly summoned deputations from the "Communitates" (Commons). Hence arose the two branches of the English Parliament. They both began as advising bodies. Even to this day the King enacts laws by and with the advice and consent of the House of Lords and the House of Commons.

What the Magnum Concilium was to the Kings of England in the dawn of our Parliamentary system of Government, the proposed Grand Assembly may be to the Sovereign Legislatures of the Empire.

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